

FILED



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Margaret Botkins
Clerk of Court

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

MOLLY K. MORRISON,

Plaintiff,

v.

Civil Action No.: 22-cv-02-SWS

HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY,

Defendant.

COMPLAINT

The Plaintiff, MOLLY K. MORRISON, sues the Defendant, HARTFORD LIFE AND ACCIDENT INSURANCE COMPANY (hereinafter "HARTFORD") and states:

1. This is an action for legal and/or equitable relief under the Employee Retirement Income Security Act (ERISA), 29 U.S.C. § 1001 et seq.
2. This Court has jurisdiction pursuant to 29 U.S.C. § 1132(e) and (f).
3. At all times material hereto, Plaintiff was a resident of Natrona County, Casper, Wyoming.
4. Plaintiff was an employee of Dyncorp International, LLC.

5. At all times material hereto, Plaintiff is and/or was a participant in the DynCorp International, LLC's Disability Plan that provided for Long Term disability benefits (hereinafter "LTD Plan").

6. At all times material hereto, Defendant HARTFORD, a corporation licensed to do business in the State of Wyoming, was charged with making the final benefits determinations at issue under the LTD Plan, including the determinations made on Plaintiff's claim.

7. The Plan was funded through a contract of insurance issued by HARTFORD, who pays claims from its own general assets.

8. By letter dated December 18, 2018, HARTFORD informed Plaintiff that her claim for Long Term disability benefits had been approved beginning July 23, 2018.

9. By letter dated July 6, 2020, HARTFORD determined that Plaintiff no longer met the definition of disability as defined in the LTD Plan and ceased paying benefits as of July 22, 2020.

10. Plaintiff requested reconsideration of the July 6, 2020 determination and HARTFORD affirmed the decision to terminate her Long Term disability benefits by decision dated October 25, 2020. This affirmation was final and binding and HARTFORD informed Plaintiff that she had a right to bring a legal action under ERISA.

11. With respect to all claims made herein, Plaintiff has exhausted any and all administrative remedies provided under the Plan.

12. The LTD Plan provides that Plaintiff is entitled to Long Term disability benefits if she meets the definition of Disabled.

13. Plaintiff has met the definition of Disabled within the meaning of the LTD Plan and is entitled to disability as of July 22, 2020 and through the present.

14. Defendant HARTFORD, since July 22, 2020 has failed and refused to pay Long Term disability benefits to Plaintiff and such failure and refusal constitutes an improper denial of benefits pursuant to a disability plan governed by ERISA.

15. Plaintiff has been required to obtain the services of the undersigned attorney in this matter and has agreed to a reasonable attorney fee as compensation to him for his services. Pursuant to 29 U.S.C. § 1132(g), Plaintiff is entitled to a reasonable attorney's fee and costs of action.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, MOLLY K. MORRISON, asks this Court to enter judgment against defendant HARTFORD, finding that:

(a) Plaintiff met the definition of Disabled under the LTD Plan as of July 22, 2020 and through the present;

(b) Plaintiff is entitled to Long Term disability benefits from July 22, 2020 through the present;

(c) An award reasonable attorney's fees and costs incurred in this action is proper; and

(d) Any such other and further relief this Court deems just and proper, including but not limited to a declaration that Plaintiff's same claim for benefits continues after the last date of benefits awarded by the Court, without need to file a new application for

benefits, and remanding Plaintiff's claim to HARTFORD for further action to address continuing benefits after the final date of benefits awarded by this Court.

WHEREFORE, petitioner seeks a judgment for such relief as may be proper.

DATED: January 4, 2022

Respectfully submitted,


/s/ Christine Lichtenfels

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